

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:11-CV-105-RJC-DCK**

URBAN SMITH,

Plaintiff,

v.

SAXON MORTGAGE SERVICES,

Defendant.

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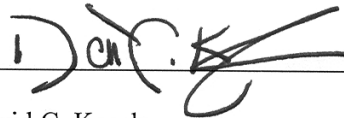
ORDER

THIS MATTER IS BEFORE THE COURT *sua sponte* regarding the filing of Defendant's "Motion To Dismiss Plaintiff's Complaint" (Document No. 5).

In accordance with Roseboro v. Garrison, 528 F.2d 309 (4th Cir. 1975), the Court advises Plaintiff, who is proceeding *pro se*, that he has a right to respond to Defendant's motion. The Court also advises Plaintiff that failure to respond may result in Defendant being granted the relief it seeks, that is, the dismissal of the Complaint.

IT IS THEREFORE ORDERED that Plaintiff may respond to the pending "Motion To Dismiss Plaintiff's Complaint" (Document No. 5) on or before **April 28, 2011**. Failure to file a timely and persuasive response will likely lead to the dismissal of this lawsuit.

Signed: April 11, 2011



David C. Keesler
United States Magistrate Judge

